

2. Markings in *Chaney* are different from the markings in the current application.

Chaney disclosed a penis gauge for determining the size of the elastic penile constriction ring. The Chaney's gauge has graduated markings which codes of which are corresponding with sizes of constriction ring. It is obvious that the purpose of the markings in *Chaney* is for measurement.

In comparison, the two markings in the current application mark the two stages of using the Erect-King band. At the beginning, two Velcro type attaching units are attached at the first marking to encircle a male organ. When 70% erection of the male organ achieved, two Velcro type attaching units are detached and then re-attached at the second marking to further tighten the male organ to achieve full erection.

One skilled in the art cannot picture a two-stage using of a band based upon the graduated markings in *Chaney*. There was absolutely no suggestion, teaching or speculation in *Chaney* for such method of using a band.

Another way to differentiate *Chaney* from the current application is to see whether the markings in one invention could be replaced with that in another invention without destroying the purpose. The Chaney's gauge will lose its measurement function if it contains only two markings as the current application; while the Erect-King band will make no sense to have more than two graduated markings on it.

In conclusion, markings in Chaney's are irrelevant to markings in the current application and *Chaney* did not teach one skilled in the art about the current application.

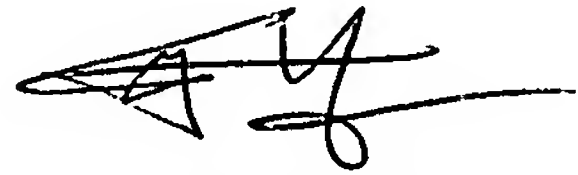
3. The method of using the Erect-King band is an indispensable part in the current application.

In his affidavit, the inventor stated that the method of using Erect-King ring is critical to achieve a satisfying treatment of ED. It was confirmed by many patients' experiment

with the Erect-King band. The whole process is divided into two stages. At different stages, the ring is required to encircle a male organ at different markers in order to achieve different tightness on the male organ. Such two-stage of tightness is significant and crucial for a successful treatment. In neither *Gavrilovich* nor others, such method of using a band is ever disclosed.

Taken together, we respectfully disagree with the office action of April 26, 2006 and we believe that the invention in the current application should be allowed.

Sincerely,

A handwritten signature in black ink, appearing to be 'Shuang Zhang', with a stylized, cursive script.

Shuang Zhang, Patent Agent

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